

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TIMOTHY PERSON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

Case No. C12-5452-TSZ-BAT

**REPORT AND
RECOMMENDATION**

Timothy Person seeks review of the denial of his Supplemental Security Income and Disability Income Benefit applications. Dkt. 1. The parties stipulate the case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 20.

The Court has considered the parties' stipulation and the record and recommends the case be **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g), for further administrative proceedings. On remand, the Administrative Law Judge will:

- Give plaintiff an opportunity for a de novo hearing, further develop the record, and issue a new decision.
- The ALJ shall also obtain updated medical records from plaintiff's treating sources; further evaluate the medical evidence of record, including but not limited

1 to the medical source opinions and treatment records of Jordan Firestone, M.D.,
2 and Norman D. Farley, Ph.D., and provide adequate rationale for either accepting
3 or rejecting the opinion evidence; obtain psychological and physical consultative
4 examinations; further evaluate plaintiff's impairments; and further evaluate
5 plaintiff's credibility and residual functional capacity.

- 6 • Obtain testimony from a vocational expert to determine if plaintiff acquired any
7 transferable skills from his past relevant skilled and semi-skilled work that could
8 be used to perform the work activities or meet the requirements for other semi-
9 skilled occupations within the residual functional capacity ultimately found.

10 Plaintiff is entitled to reasonable attorney fees pursuant to 28 U.S.C. § 2412, upon proper
11 request to this Court.

12 Because the parties have stipulated that the case be remanded as set forth above, the Court
13 recommends that United States District Judge Thomas S. Zilly immediately approve this Report
14 and Recommendation and order the case **REVERSED** and **REMANDED** for further
15 administrative proceedings pursuant to sentence four. A proposed order accompanies this Report
16 and Recommendation.

17 DATED this 18th day of October, 2012.

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20 BRIAN A. TSUCHIDA
21 United States Magistrate Judge
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